

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

LAND ACQUISITION- Decretal Charges-Ananthapur-Uravakonda Mandal-Myilampalli Village-S.No. 202, Extent 18.20 acres acquired for foreshore submersion of PABR Dam-Award No. 26/88 dt: 26.8.88 Orders passed by the Lower Court in O.P.No. 164/88, Dated: 22.9.1999-A.S. No. 2918/2000,Dt: 25.11.2005-Payment of enhanced Compensation-Submission of Proposals-Sanction of Rs.6,41,850/--Orders-Issued.

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IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 948

Dated:09 -12-2009

Read the following:

From the District Collector, Ananthapur Lr.Rc.No. G2/1584/2001,  
Dated: 09.04.2009

From the Special Chief Secretary & C.C.L.A. A.P.Hyderabad Lr.No.  
G4/519/2009, Dated: 5.8.2009.

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**ORDER:**

In the references read above, the District Collector, Ananthapur and Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad has reported that the Special Deputy Collector, L.A. HLC, Ananthapur has acquired an extent of 18.20 acres in S.No.202 of Mylarampalli village of Uravakonda Mandal of Ananthpur District for foreshore submersion of PABR vide Award No. 26/88 dt. 29.6.88. The compensation amount of Rs. 71,503/- was paid to the Awardees. Aggrieved the market value fixed by the land Acquisition Officer, the claimants received the compensation under protest to refer the matter to civil court U/s. 18 of the LA Act in **OP.No.164/88**. The Civil Court in its orders dated. 22.9.1999 in OP.No.164/88 enhanced the Land value in Sy.No.43 Extent 21.78 acres of land value from Rs.2,550/- to Rs. 10,000/- per acre and also directed to pay solatium at 30% on the enhanced market value at 12% for the period between the date of notification and date of taking possession and interest at 9%for period of one year i.e. from the date of taking possession and at 15% p.a for the remaining period till the date of deposit and the Special Deputy Collector has filed an appeal before the Hon'ble High Court of A.P. Hyderabad against the lower Court Judgment, as the enhancement was 297% and the Hon'ble High Court has granted conditional stay to deposit ½ of the decretal amount. Accordingly, the land Acquisition Officer deposited an amount of Rs. 2,30,022/- in the Civil Court. The Hon'ble High Court of A.P. Hyderabad finally disposed off the case confirming the lower court order and dismissed the case passed final orders on 25.11.2005 in AS No.2918/2000 and amended provisions of L.A. Act included solatium on interest and Addl. Market value.

2. In the circumstances report by the District Collector, Ananthapur in the reference Ist read above and in view of the report of Special Chief Secretary & C.C.L.A. A.P. Hyderabad thereon in the reference 2<sup>nd</sup> read above and Government after careful examination of the matter hereby accord sanction for an amount of Rs. 6,41,850/- ( Rupees Six Lakhs Forty One Thousand Eight Hundred and Fifty only) towards decretal charges to be deposited in Lower Court O.P.No.164/1988 pertaining to the lands acquired in Sy.No.202, Extent 18.20 acres for fireshore submersion of PABR Dam of Mylarampalli ( Village), Uravakonda(M), Ananthpur District may be agreed to, subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines

(P.T.O)

issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the District Collector, Ananthapur should verify the calculations made by the RDO (LAO), once again thoroughly with references to the decree and instructions issued by the Govt /CCLA, Hyderabad. On the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in the Lower Court.

3. The District Collector, Ananthapur is directed the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated: 30.4.2007 in WP.No. 2181/2005 in depositing the above sanctioned decretal amount in the respective court.

4. The amount sanctioned in (25) above shall be debited to the detailed Head of Account "4701-COL-MI, MH-101-SW-GH(II)-NSP-SH(12)-C&R of M1 Schemes-530 Major Works 532 – Land (charged)".

5. This order issued with the concurrence of Finance (Exp. PW.I) Department vide their U.O.No. 28286/1059/Exp.PWI/09, Dated: 21.11.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,  
SECRETARY TO GOVERNMENT

To  
The Secretary to the C.C.L.A. A.P.Hyderabad  
The District Collector, Ananthapur  
The Chief Engineer, Irrigation, Hyderabad  
The Special Deputy Collector,(LA),HLC, Ananthapur  
The Revenue Divisional Officer, Ananthapur  
The Superintending Engineer, I & CAD, Ananthapur  
The Director of Works and Accounts, Hyderabad  
Copy to  
P.S.to Minister ( M & MI)  
Law Department/Finance(W&P) Dept  
C.No. 20786/L.A.II/A2/2009  
S.F./S.C.

//FORWARDED BY ORDER//

SECTION OFFICER